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Filed on 01/12/06
By Shri Vijay Kumar Burman Advocate
30/12/06
R.S.D.R.(J)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH Single Bench

Cr.M.P.NO. 196 **/2006**

APPLICANT: Vijay Kumar Burman S/o Duje Ram Burman aged 30 years R/o Parsada, P.S. Harsud chowki Distt-Jangir champa (C.G.)

VERSUS

NON-APPLICANT: State of Chhattisgarh, through Station House officer P.S— Kosir Raigarh (C.G.)

APPLICATION U/S 482 OF THE CODE OF CRIMINAL PROCEDURE

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक Cr.M.P. 196/2006 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	17.1.2007 Shri V.C. Ottalwar, counsel for the applicant. Shri G.K. Beriwal, Deputy Advocate General for the State. Heard. This is an application for correction of the statement made in the order dated 28.11.2006 passed in M.Cr.C.(A). No.3209/2006. Shri Ottalwar submits that under a wrong information heard by him from the applicant that six other co-accused persons have been enlarged on bail, he made this statement before this Court during the course of arguments and the same has been recorded in the order and this Court considering that by the said date, six other co-accused persons have already been enlarged on regular bail and also considering the other points, granted anticipatory bail to the applicants. He submits that by that date only 3 persons were granted regular bail and other persons were granted regular bail on 01.12.2006. He submits that when he came to know about this fact, he filed this Miscellaneous Petition on 01.12.2006 itself for the purpose of rectifying the mistake. He also submits that even the order dated 28.11.2006 has not been availed by the petitioner because a wrong statement of the counsel for the petitioner has been recorded in the said order. Shri Ottalwar submits that he is tendering apology for making such statement. He also submits that the mistake committed by him was bonafide on account of hearing wrong information from the side of the accused. He prays for correcting	

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XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

his statement contained in the order. The prayer is not opposed by the counsel for the State.

In the opinion of this Court, the mistake appears to be bonafide. His submissions are accepted.

The prayer for making corrections is also accepted.

It is directed that in page nos. 1 & 2 of the impugned order, the words written like "six other co-accused persons shall be read as 3 other co-accused persons" and the order shall stand modified to the extent indicated above.

A copy of this order shall be kept in the records of M.Cr.C.(A) 3209/2006 and when the certified copy of the order dated 28.11.2006 passed in the aforesaid M.Cr.C. will be issued, this order shall also accompany the C.C. of the said order.

The petition stands finally disposed of.

Certified copy as per rules.

Sd/-
Sunil Kumar Sinha
Judge